

<b>Notice of Allowability</b>	Application No.	Applicant(s)
	10/820,919	JELAVIC ET AL.
	Examiner James D. Ewart	Art Unit 2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS. This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to the application filed 08 April 2004.
  2.  The allowed claim(s) is/are 1-20.
  3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    - a)  All
    - b)  Some\*
    - c)  None
    1.  Certified copies of the priority documents have been received.
    2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- \* Certified copies not received: \_\_\_\_\_.
- Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**
4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
    - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
  6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

***Allowable Subject Matter***

1. Claims 1-20 are allowed. The reason for allowability is provided below:

Referring to claim 1, the references sited do not teach a method for synchronizing scan opportunities in a mobile communications system comprising the steps of: sending time slots between a mobile subscriber and an associated base station wherein the mobile subscriber has a corresponding scan group; counting the number of time slots sent between the mobile subscriber and the associated base station; and determining whether it is a scan opportunity based upon the count, ***the scan group of the mobile subscriber, a scan rate, and a scan opportunity divisor*** and if it is a scan opportunity, then performing a scan of a neighboring base station.

Referring to claim 10, the references sited do not teach a system for synchronizing scan opportunities in a mobile communications system comprising: an associated base station configured to keep a first count of a number of time slots sent between the base station and a mobile subscriber; the mobile subscriber configured to receive communications from the associated base station and configured to keep a second count of a number of time slots sent between the base station and the mobile subscriber; a processor for determining a scan opportunity based upon the first count and the second count, ***a scan group of the mobile subscriber, a scan rate, and a scan opportunity divisor***, wherein the mobile subscriber scans to a neighboring base station on a scan opportunity.

Referring to claim 16, the references sited do not teach a system for synchronizing scan opportunities in a mobile communications system comprising: means for sending time slots between a mobile subscriber and an associated base station wherein the mobile subscriber has a corresponding scan group; means for counting the number of time slots sent between the mobile subscriber and the associated base station; and means for determining whether it is a scan opportunity *based upon the count of frames, the scan group of the mobile subscriber, a scan rate, and a scan opportunity divisor.*

### ***Conclusion***

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Blackman et al. U.S. Patent No. 5,613,208 discloses channel scan in cellular telephone system.

Dahlman et al. U.S. Patent No. 5,896,368 discloses multi-code compressed mode DS-CDMA systems and methods.

Dahlman et al. U.S. Patent No. 5,883,899 discloses code-rate increased compressed mode DS-CDMA systems and methods.

Dent U.S. Patent No. 6,205,334 discloses accelerated scanning of cellular channels by cellular radiotelephones.

Swanchara et al. U.S. Patent No. 6,108,542 discloses method and arrangement in a road communication network.

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Willars et al. U.S. Patent No. 5,533,014 discloses non-continuous transmission for seamless handover in DS-CDMA systems.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James D. Ewart whose telephone number is (571) 272-7864. The examiner can normally be reached on M-F 7am - 4pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (571)272-7872. The fax phone numbers for the organization where this application or proceeding is assigned are (571) 273-8300 for regular communications and (571) 273-8300 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2600.



James Ewart  
November 2, 2005



WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 260C